



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. June 6, 2005 Item:

File Number:
GP05-03-01a-e and GPT05-03-01

Council District and SNI Area:
3, 6- Burbank-Del Monte, Delmas Park,

Major Thoroughfares Map Number:
83

Assessor's Parcel Number(s):
Various

Project Manager: Dionne Early

GENERAL PLAN REPORT

Spring 2005 Hearing

PROJECT DESCRIPTION:

General Plan amendment request to amend the San Jose 2020 General Plan Land Use/Transportation diagram designation from Combined Industrial/Commercial to General Commercial, Public/Quasi-Public, Office, Light Industrial with Mixed Industrial Overlay, and Public Park/Open Space on a 47.72-acre site (GP05-03-01a-e) and expansion of the Greater Downtown Core Area (GPT05-03-01).

LOCATION: Generally bounded by Coleman Avenue and Empire Street on the north, 4th Street through 7th Street on the east, Interstate 280 on the south and White Street and Stockton Avenue on the west.

ACREAGE: 47.72

APPLICANT/OWNER:

San Jose Redevelopment Agency, Applicant/Various, owners.

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Combined Industrial/Commercial

Proposed Designation: General Commercial, Public/Quasi-Public, Office, Light Industrial with Mixed Industrial Overlay, and Public Park/Open Space.

EXISTING ZONING DISTRICT(S): IP Industrial Park, LI Light Industrial, HI Heavy Industrial, CO(PD) Commercial Office-Planned Development, A(PD) Agriculture-Planned Development.

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Mixture of small industrial uses and site under development—Light Industrial and Combined Industrial Commercial.

South: Diridon Station and parking facilities—Public/Quasi Public, General Commercial and Residential Support for the Core.

East: Guadalupe Freeway 87 and small industrial uses—Combined Industrial/Commercial

West: Mixture of small industrial uses—Mixed Use with No Underlying Designation, Combined Industrial/Commercial.

ENVIRONMENTAL REVIEW STATUS:

Downtown Strategy 2000 Environment Impact Report began circulation on March 25, 2005.

PLANNING STAFF RECOMMENDATION:

Approval.

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Santa Clara County Airport Land Use Commission (ALUC)—ALUC found the proposed amendments to be consistent with its policies with the conditions that all development within the 65db CNEL Contour for San Jose International Airport (Airport) be designed to comply with ALUC policies for acceptable noise levels and that residential use be located outside of that same contour. Also navigation easements for projects within that contour will be granted to the Airport in accordance with Policy G-3. Lastly, when specific development projects are proposed, height restrictions on the project site shall be imposed in conformance with the FAA Part 77 restrictions. The reasons for this recommendation are that the land use amendment site is located outside the north and south safety zones for the Airport and therefore, ALUC policies specifically related to airport safety are not applicable to this project.

GENERAL CORRESPONDENCE:

ANALYSIS AND RECOMMENDATIONS:**RECOMMENDATION**

Staff recommends approval of the proposed amendments to the General Plan text and proposal to amend the *San Jose 2020 General Plan* Land Use/Transportation diagram designation from Combined Industrial/Commercial to General Commercial, Public/Quasi-Public, Office, Light Industrial with Mixed Industrial Overlay, and Public Park/Open Space on a 47.72-acre site (GP05-03-01) and expansion of the Greater Downtown Core Area (GPT05-03-01).

PROJECT DESCRIPTION

These amendments, GP05-03-01 and GPT05-03-01, are associated with the *Downtown Strategy Plan 2000 (Strategy 2000)*, addressed earlier on this agenda. Approval of *Strategy 2000* would provide a long-range conceptual program for revitalizing the Downtown by allowing high density infill development and replacement of underutilized uses, and expanding the Greater Downtown Core Area (Core Area) and land use intensities to the west and north into areas that are presently underdeveloped and underutilized. Approval of the proposed General Plan Land Use/Transportation Diagram amendment and associated text amendment would:

- a) Bring the General Plan land use designations into conformance with existing uses;
- b) Expand the Downtown Core Area Boundary;
- c) Expand the downtown traffic level of service (LOS) exemption area to allow intersections within the new Core to operate at capacity;
- d) Amend the General Plan text to state that building height in these areas will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations instead of specific heights and floor area ratios (FAR), and amend the text of the Midtown Planned Community to reflect the proposed *Strategy 2000*.

The area covered by *Strategy 2000* is generally bounded by Coleman Avenue and Empire Street on the north, 4th Street through 7th Street on the east, Interstate 280 on the south and White Street and Stockton Avenue on the west. These streets also represent the proposed new boundary of the Greater Downtown Core Area (see map).

BACKGROUND

Overview

The subject General Plan amendment and text amendment are associated with the approval of the following plans:

- Approval of *San Jose Downtown Strategy 2000*;
- Approval of the *Diridon/Arena Area Strategic Development Plan*;

Approval of the Downtown Strategy Plan 2000 would provide a long-range conceptual program for revitalizing the Downtown by allowing high density infill development and replacement of underutilized uses, and expanding the Greater Downtown Core Area and land use intensities to the west and north into areas that are presently undeveloped and underutilized. The amount of development anticipated to occur in the expanded Greater Downtown Core Area during the planning horizon of Strategy 2000 includes 8,000,000 to 10,000,000 square feet of office space; 8000 to 10,000 dwelling units, 900,000 to 1,200,000 square feet of retail space and 2,000 to 2,500 guest rooms of hotel space, in four to five hotel projects.

Approval of the *Diridon/Arena Area Strategic Development Plan*, which is generally bounded by the Union Pacific/Joint Powers Board railroad tracks on the north, the Guadalupe River on the east, Park Avenue on the south and White Street and Stockton Avenue on the west would provide greater detail to the *Strategy 2000* and provide for an integrated transportation hub, encourage transit ridership and pedestrian activity through land use decisions, provide an appropriate level of parking, protect adjacent neighborhoods from negative impacts and create new public amenities for residents and workers in the area.

General Plan Land Use/Transportation Diagram Amendment

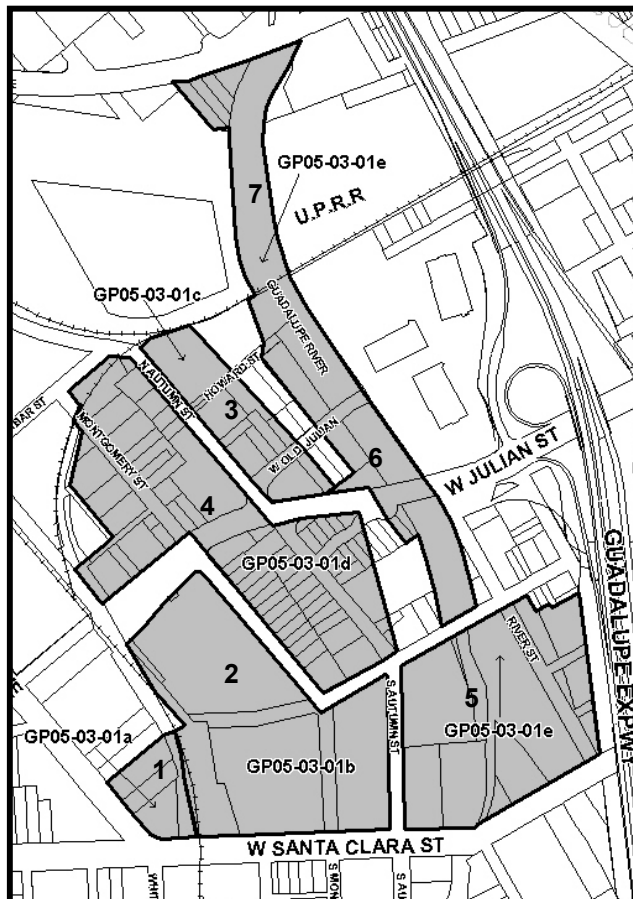
Approval of the proposed General Plan Land Use/Transportation Diagram amendment would:

- a) Bring the General Plan land use designations into conformance with existing uses, specifically the HP Pavilion/San Jose Arena (GP05-03-01b) and Guadalupe River Park (GP05-03-01e);

- b) Bring the General Plan land use designations into conformance with *Diridon/Arena Area Strategic Development Plan* (GP05-03-01a, GP05-03-01c, and GP05-03-01d)

The subject General Plan Amendment proposes to change the Land Use/Transportation Diagram designation from Combined Industrial/Commercial to the designations outlined in the chart below:

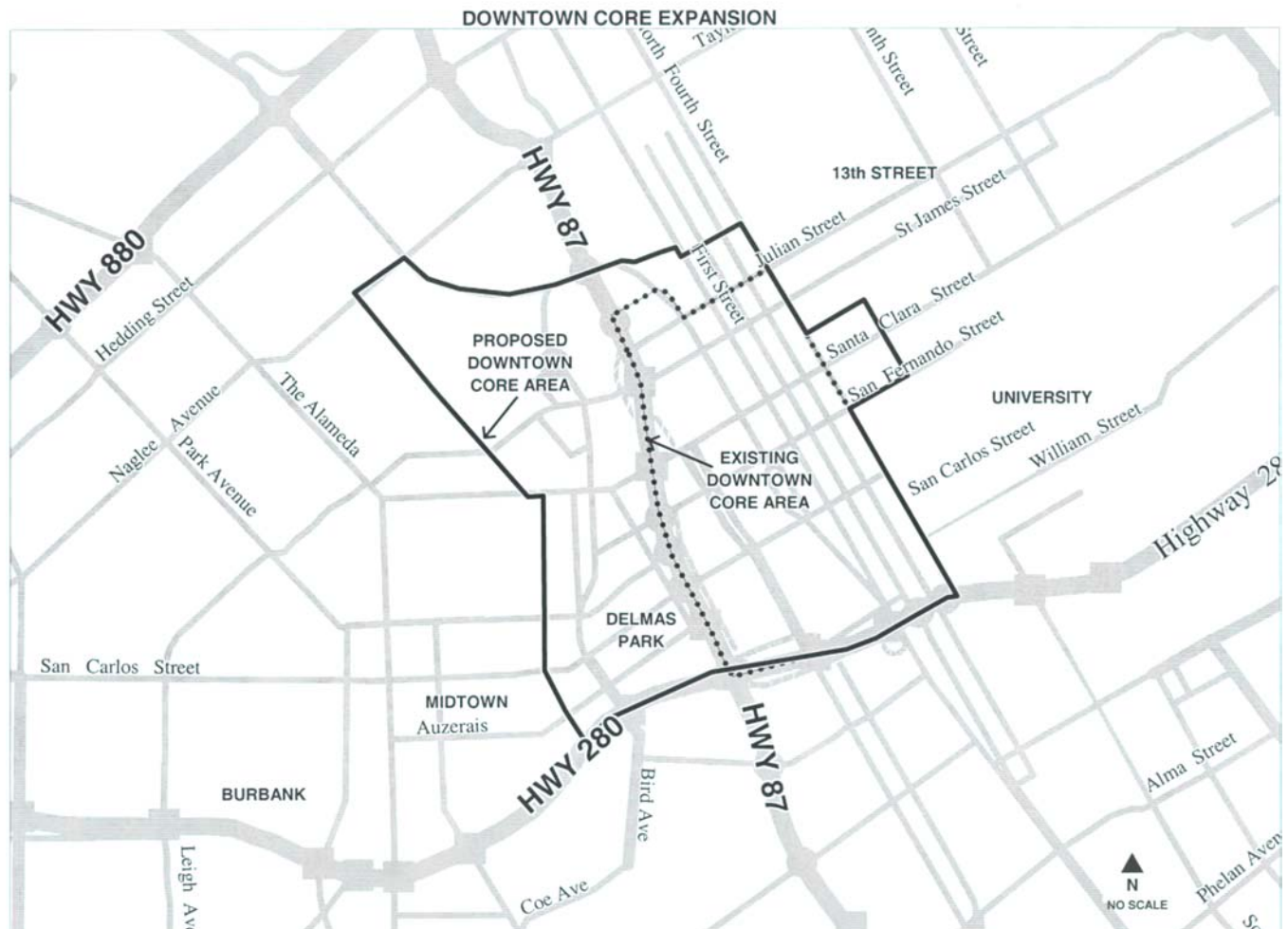
Site Number and Location	Acreage	Existing General Plan Designation	Proposed General Plan Designation
1. Northeast corner of West Santa Clara Street and Stockton Avenue	2.70	Combined Industrial/Commercial GP05-03-01a	General Commercial
2. Generally bounded by Montgomery Street, North Autumn Street, and West Santa Clara Street (San Jose Arena)	9.68	Combined Industrial/Commercial GP05-03-01b	Public/Quasi-Public
3. Northeast corner of North Autumn Street and West Julian Street and on both sides of Old Julian and Howard Streets	3.74	Combined Industrial/Commercial GP05-03-01c	Office
4. Northwest corner of Julian Street and Montgomery Street	17.10	Combined Industrial/Commercial GP05-03-01d	Light Industrial w/ Mixed Industrial Overlay
5. Generally bounded by West St. John Street, Highway 87, West Santa Clara Street, and North Autumn Street	8.94	Combined Industrial/Commercial GP05-03-01e (1)	Public Park and Open Space
6. Generally bounded by Coleman Avenue, Guadalupe River, West St. John Street, and east of North Autumn Street	0.40	Combined Industrial/Commercial GP05-03-01e (2)	Public Park and Open Space
7. Generally bounded by Coleman Avenue, Guadalupe River, West St. John Street, and east of North Autumn Street	5.10	Combined Industrial/Commercial GP05-0301e (3)	Public Park and Open Space



General Plan Text Amendment

Approval of the proposed General Plan text amendment (GPT05-03-01) would:

- Expand the Downtown Core Area Boundary as shown in the map below;
- Expand the Core Area boundary in order to expand the downtown traffic level of service (LOS) exemption area to allow intersections within the new Core Area to operate at capacity;
- Amend the General Plan to state that building height in these areas will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations instead of specific heights and floor area ratios (FAR), and amend the text of the Midtown Planned Community to reflect the proposed *Strategy 2000*.



The new Greater Downtown Core Area boundaries are as follows:

- Coleman Avenue/Julian Street/St. James Street to the north,
- 4th Street and Civic Plaza to the east (Civic Plaza area is bounded by East St. John to the north, 7th Street to the east and San Fernando Street to the south),
- State Route 280 to the south,
- White Street/Stockton Avenue/Southern Pacific Railroad tracks to the west.

ANALYSIS

Conformance of *Downtown Strategy Plan 2000* with the *San Jose 2020 General Plan*

A number of General Plan Amendments are included as part of the *Downtown Strategy Plan 2000* and the land use impacts and their conformance with the San Jose 2020 General Plan are discussed in detail in both *Strategy 2000* and its EIR. *Strategy 2000* is in conformance with the General Plan for the following reasons:

- Strategy 2000 is consistent with Downtown Revitalization, Economic Development and Housing Major Strategies of the General Plan. Strategy 2000 will guide the continued growth of a prominent and attractive downtown that will act as a catalyst for new employment, housing, and cultural and entertainment uses.
- No land use conflicts or incompatibilities would result from the expansion of the Downtown Core Area or the proposed land use changes;
- While development of high and medium density residential uses in the Greater Downtown is a key strategy of the Plan, there would be approximately the same amount and type of housing and associated new population (i.e., 15,277 total households projected for the 2020 General Plan and 14,712 projected for the *Strategy 2000*) at buildout as was projected and evaluated for the project area in the City's General Plan;
- As described in detail in Chapter IV, Consistency with Plans and Policies, *Strategy 2000* would not conflict with other relevant plans and policies, including those adopted by agencies with jurisdiction over the project including, but not limited to Specific Plans or Zoning Ordinance.

Implementation of the proposed *Strategy 2000* would lead to one potential significant impact related to Airport Compatibility. When specific projects are proposed, they will be subject to environmental review of project-specific significant impacts related to land use. Most of the Greater Downtown area is subject to a series of policies and evaluations due to its proximity to the flight paths of the San Jose International Airport and its location within the Santa Clara County Airport Land Use Commission (ALUC) Referral Boundary. The current ALUC referral boundary does not include the area east of First Street or some of the blocks in the southwest corner of the project area. The *Land Use Plan for Areas Surrounding Santa Clara County Airports* (ALUC) and the City General Plan (Aviation) Policies #38, #39 and #40 require that airspace required for safe operation of the Airport be maintained and that aviation easement dedications be required for development in the vicinity of airports. When detailed plans for *Strategy 2000* are developed, such plans will be submitted to the ALUC for determination of consistency with the policies in the ALUC Land Use Plan. The ALUC would then have 60 days to provide a determination of whether specific developments are consistent with its Plan. General Plan Text amendments discussed later in this document propose to amend the Midtown Specific Plan to state that building height in these areas will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations instead of specific heights and floor area ratios (FAR), and amend the text of the Midtown Planned Community to reflect the proposed *Strategy 2000*.

Santa Clara County Airport Land Use Commission (ALUC) found the proposed amendments to be consistent with its policies with the conditions described earlier in the *City Department and Public Agency Comments Received* section of this report. The amendment site is located outside the north and south safety zones for the Airport and therefore, ALUC policies specifically related to airport safety are not applicable to this project.

Proposed Text Amendments to the *San Jose 2020 General Plan*

The following amendments should be made to the text of the San Jose 2020 General Plan to bring the plan into conformance with the subject General Plan amendments:

The following text change should be made on page 126, paragraph 4, in Chapter V. Land Use/Transportation Diagram, Special Strategy Areas, Downtown Core and Frame Areas.

Changes to the General Plan text are shown as follows: new text is shown via an underline and deleted text is shown via ~~strikeout~~.

The Downtown Strategy Plan concentrates on the core of the central business district and the neighborhoods that frame it. The Downtown Core Area is bounded by ~~Julian Street~~ Coleman Avenue/Julian Street/St. James Street to the north, 4th Street and Civic Plaza to the east (Civic Plaza area is bounded by East St. John Street to the north, 7th Street to the east and San Fernando Street to the south) to the east, State Route 280 to the south, and ~~State Route 87~~ White Street/Stockton Avenue/Southern Pacific Railroad tracks to the west. ~~The Core is a fairly compact area, approximately one mile north to south and about three-fourths of a mile east to west.~~ The Frame Area is generally bounded by Taylor Street to the north, 11th Street to the east, Keyes/Willow Streets to the south and the Southern Pacific Railroad tracks/The Alameda to the west. Map 3 depicts both the Core and Frame Areas.

The following amendment should be made on page 128, in Chapter V. Land Use/Transportation Diagram, Special Strategy Areas, to Map 3. Downtown Core and Frame Area Boundaries (see map on page 10). The map should be revised to expand the Downtown Core Area Boundary to now include 4th Street and Civic Plaza to the east (Civic Plaza area is bounded by East St. John Street to the north, 7th Street to the east and San Fernando Street to the south) Highway 280 to the south, White Street/Stockton Avenue/Railroad tracks to the west, and Coleman Avenue/Julian Street/St. James Street to the north.

The following amendment should be made on page 171, in Chapter V. Land Use/Transportation Diagram, Land Use, Midtown Planned Community, to Map 9. Midtown Planned Community. The map should be changed to reflect the proposed land use change from Public/Quasi-Public to General Commercial on the southwest corner of W. Santa Clara Street and Cahill Street.

Conformance of Core Area Expansion with the Midtown Specific Plan

If approved, the expansion of the Core Area will require the text of the Midtown Specific Plan, a Planned Community, to be amended to eliminate specific heights and floor area ratios (FAR) in areas located within the new Core Area boundary. The proposed amendments affect a limited portion of the Midtown Specific Plan, part of the Burbank/Del Monte Strong Neighborhood Initiatives area and generally bounded by West San Carlos Avenue and The Alameda on the north, Wilson Avenue, Sunol Street, and Meridian Avenue on the west, West Home Street and approximately 500 feet south of Auzerais Avenue on the south, and Los Gatos Creek on the east. The proposed changes in building height do not affect the remainder of the Midtown Specific Plan area.

The Midtown Specific Plan describes the expansion of light rail and Caltrain lines and the planned future addition of a BART station adjacent to the Cahill/Diridon Station located in the Cahill East section of the specific plan area. The plan also recognizes that new developments in Cahill East triggered by market forces will transform the area into a pedestrian-friendly concentrated mix of higher intensity uses likely to include high-density residential with ground level retail/restaurant uses. The *Diridon/Arena Area Strategic Development Plan* provides a more detailed and updated plan for this area, especially with regard to the future BART station, that also encourages the development of a pedestrian-friendly mixed-use area.

Instead of listing specific heights and floor area ratios (FAR), building heights in the expanded Core Area will be defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations. Following are the specific text changes to the Midtown Specific Plan as noted in the *Strategy 2000* EIR:

The following amendment should be made to the Midtown Specific Plan on page 38, Table 1, Land Use Matrix to eliminate the maximum Floor Area Ratio (FAR) for the General Commercial land use designation as follows:

General Commercial (GC)	-Office	Office:
	-Retail/Restaurant	0.5 FAR minimum
	-Entertainment	3.0 FAR maximum
	-Child Care	
	-Recreation Related Commercial (east of Autumn St.)	
	-Hotel	
	-Support Retail Ground-Level Use	

The following amendment should be made to the Midtown Specific Plan on page 40, Number 3, General Commercial (GC) to eliminate the maximum Floor Area Ratio (FAR) for the General Commercial land use designation as follows:

General Commercial (GC). This is a nonspecialized commercial designation intended to permit a variety of commercial uses in areas where residential development is inappropriate; ~~including properties along Los Gatos Creek east of Autumn Street~~ and includes those properties immediately south of the Community Arena HP Pavilion at San Jose between Cahill and Autumn Street, north of the proposed realignment of West San Fernando Street. Permitted uses within this area include office, retail, restaurant, entertainment, hotel and other compatible commercial uses. Drive-through retail/restaurant uses are prohibited. Within this land use designation, west of Autumn Street, transportation related facilities including parking structures and passenger terminals ~~will~~ would be allowed, subject to the design guidelines provided for the Cahill East Subarea. Development intensity within this area is designed to promote transit ridership and ~~create an appropriate transition in scale to Los Gatos Creek. As such, intensities west of Autumn Street range from a minimum of 0.5 FAR to a maximum 3.0 FAR; along Los Gatos Creek, the maximum intensity should be 0.5 FAR.~~ Extend development densities at the same level as those that are developed Downtown.

The following amendment should be made to the Midtown Specific Plan on page 41, Land Use and Urban Design, Land Use Map, Public Parks/Open Space (PP/OS), as follows:

Public Parks/Open Space (PP/OS).

As described in the Community Facilities Element of the Plan, a total of ~~13.5~~ 18 acres of public parks and open space is planned within Midtown. This land use category designates those portions of the planning area that are targeted for parks. Within these areas, limited development of public facilities such as community centers, interpretive centers, and shelters will be permitted, subject to the provisions of the Community Facilities Element and the urban design guidelines outlined in this chapter.

The following amendment should be made to the Midtown Specific Plan on page 45, to Figure 15, Maximum Height to amend the Cahill East Subarea north of Park Avenue to show that the

maximum height limit is defined by the airspace requirements of the Federal Aviation Administration (FAA) Regulations.

The following amendment should be made to the Midtown Specific Plan on page 46, to Figure 16, Land Use Densities and Intensities, to amend the diagram to eliminate the FAR in the Cahill East Subarea.

The following amendment should be made to the Midtown Specific Plan on page 69, Cahill East Subarea, Policy 3.3 to delete the portion of the policy relating to the location of high-density, mixed-use development as follows:

Policy 3.3: *High-density residential development should be encouraged within Cahill East to create a diverse mixed-use transit district, ~~however, such uses should be situated in the southern portion of the sub-area (south of West San Fernando Street), removed from the Community Arena.~~*

The development of high-density residential uses in close proximity to rail and transit facilities is a major objective of the Midtown Specific Plan. However, to promote a successful and livable new neighborhood in Cahill East residential development is limited to the Transit-Oriented Mixed-Use area, ~~south of the realigned West San Fernando Street to minimize potential noise and traffic impacts generated by the Community Arena and Cahill Station.~~

The following amendment should be made to the Midtown Specific Plan on page 72, Urban Design Guidelines, Height and Massing, as follows:

*General Commercial (GC) and
Transit-Oriented Mixed-Use (TMU)
Designated Land*

On Cahill East properties designated for General Commercial or Transit-Oriented Mixed-Use development, the following height and massing guidelines apply:

~~**Los Gatos Creek Frontage:** Development located east of Autumn Street along Los Gatos Creek should be no higher than 35 feet or two floors, whichever is less.~~

Maximum Height West of Autumn Street: General Commercial or Transit-Oriented Mixed-Use development located between Cahill Street on the west, Santa Clara Street on the north, Autumn Street on the east, and Park Avenue on the south should have a ~~predominant~~ building height of at least three to four floors, or 50 feet; within this area, buildings will be allowed to a maximum height of 120 feet, ~~provided that such building elements do not have a floorplate greater than 25,000 square feet in area defined by the airspace requirements of the San Jose International Airport as established by the Federal Aviation Administration (FAA).~~

Conformance of Expansion of the Greater Downtown Core Area with Update to Transportation Impact Policy 5-3

City of San Jose's Transportation Impact Policy No. 5-3 is being proposed for modification (see File No. PP02-07-178). According to the proposed Traffic Impact Policy, a project's traffic

improvements would be unacceptable if potential vehicular capacity-enhancing improvements would result in a physical reduction in the capacity and/or a substantial deterioration in the quality (aesthetic or otherwise) of any other planned or existing transportation facilities (such as pedestrian, bicycle and transit systems and facilities). The policy identifies 13 intersections at which vehicular capacity improvements beyond those already built or under construction would result in potentially significant adverse impacts. Therefore, future development projects which result in level of service (LOS) impacts at those intersections would not be required to provide LOS traffic improvements; rather, these projects would be required to provide other improvements to the transportation network (e.g. pedestrian, bicycle, transit, traffic calming).

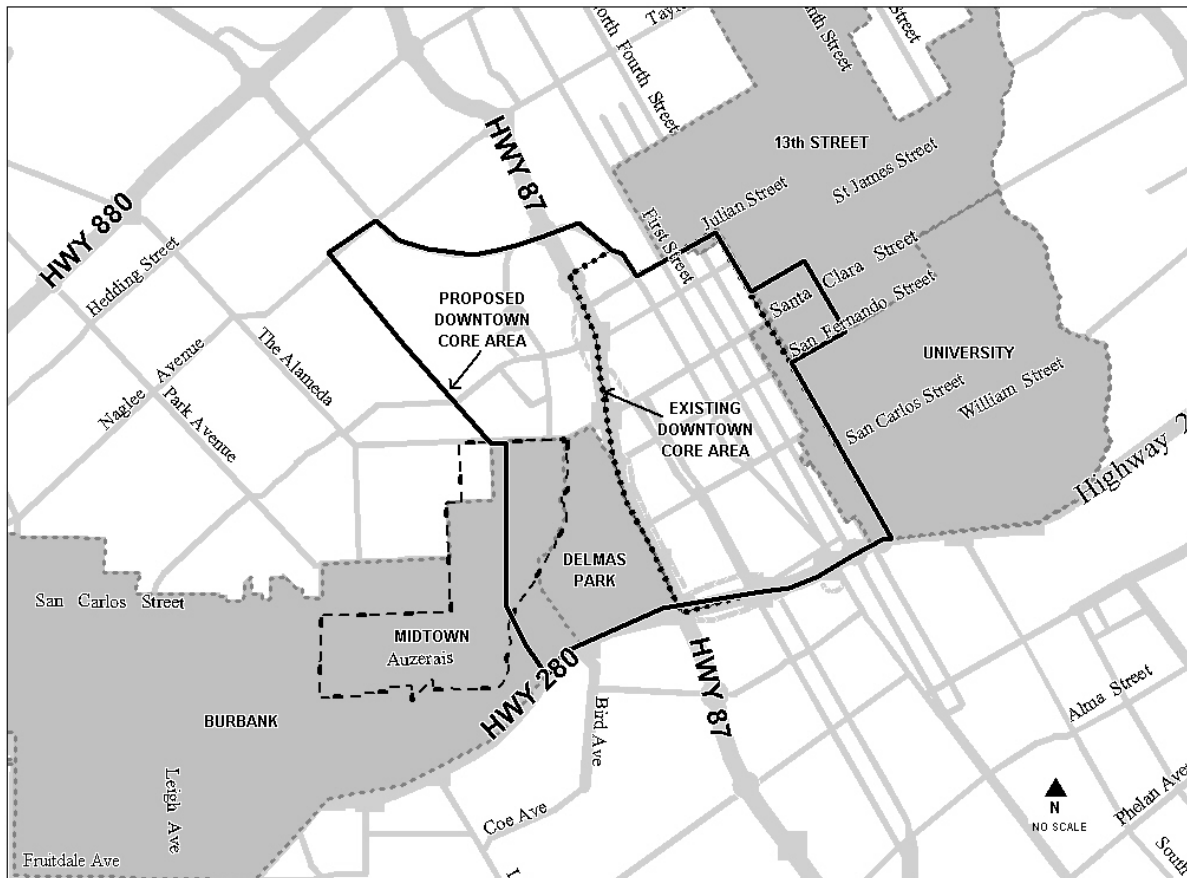
The Core Area is exempt from the City's Transportation Level of Service Policy. The proposed Transportation Impact Policy applies to all geographic areas of the City with the exception of areas included in an Area Development Policy, which have their own guidelines for implementation of the Level of Service Policy, and specific intersections within Special Strategy Areas in the General Plan including Transit Oriented Development Corridors, Transit Station Areas, Planned Communities, and Neighborhood Business Districts. By amending the General Plan to expand the Core Area into areas west of SR 87 and east of 4th Street, the new expanded Core Area will overlap with part or all of the Burbank/Del Monte, Delmas Park, University, or 13th Street Strong Neighborhood Initiatives Plan Area Boundaries (see map below). None of the General Plan land use amendments affect these areas.

The expansion of the Core Area will extend the LOS exemptions to those areas included within the expanded Core Area. The *Downtown Strategy Plan 2000* staff report includes proposed language to be added to the plan that defines the relationship between these plans and the *Strategy 2000* plan. In addition to the LOS exemptions included in the expansion of the Downtown Core Area, the City has proposed modifications to the City Council Transportation Impact Policy, including introduction of "Downtown Gateway Corridors" as Special Planning Areas within which the intersections are also exempt from the Traffic Level of Service standards. Fourteen intersections have been identified to be added to the list of protected intersections under the revised Transportation Impact Policy.

The concept of the Downtown Gateways is to protect the intersections along those corridors. As development occurs in Downtown and the surrounding areas it is expected the traffic will increase. Under the current Transportation Impact Policy, those development projects would be required to construct vehicular improvements for many of the intersections on the Gateway Corridors including the one-way couplet system (which are assumed to be two-way in this analysis). In many cases the mitigation would be maintaining the couplets as one-way streets, or it could also entail parking removal, downsizing sidewalks, tree removals, and right of way acquisition to expand the streets. The addition of the Downtown Gateway designation allows these intersections to be exempted from having to meet the LOS D criterion, which would require the above-referenced unwanted improvements, thereby protecting these intersections from undesirable mitigation. The project proposes to modify the Transportation Policy to include the gateways as a Special Planning Area and the intersections within the gateway would be eligible to be designated as Protected Intersections.

Within the proposed Downtown Gateway Corridors, 14 locations have been identified as Protected Intersections to be added to the list of protected intersections under the revised Transportation Impact Policy. Projects outside the downtown core that have significant impacts to the Downtown Gateway intersections would fund offsetting improvements instead of

automobile mitigation per the new policy guidelines. The revised Transportation Impact Policy that allows for establishing “Protected Intersections” and establishes a methodology for implementing offsetting “Transportation System Improvements” is also being considered by the Planning Commission and City Council in the Spring General Plan Hearings. The *Strategy 2000* plan has impacts at 14 intersections on the Downtown Gateways. Those intersections are 10th/Hedding, 10th/Julian, 10th/Taylor, 11th/St James, 11th/Julian, 11th/St John, 11th/Santa Clara, 11th San Antonio, 10th/St James, 10th/Reed, 7th/Virginia, 4th/ Jackson, Almaden/Virginia and Vine/Grant and are proposed to be added to the Protected Intersection list. The Downtown Gateways are addressed in the accompanying staff report on the Downtown Strategy 2000 Plan and in the staff report for the modifications to the Transportation Impact Policy.



Conformance of Land Use Designation Changes with Diridon/Arena Area Strategic Development Plan



The final draft of the Diridon/Arena Strategic Development Plan was approved by the community advisory committee in October 2002 and was accepted by the City Council/Agency Board on August 19, 2003. The subject General Plan amendment particularly, GP05-03-01a, GP05-03-01c, and GP05-03-01d bring the General Plan Land Use/Transportation Diagram into conformance with the Diridon/Area Strategic Development Plan as follows:

- GP05-03-01a changes the land use designation from Combined Industrial/Commercial to General Commercial as illustrated by the number 3 in the map above;
- GP05-03-01c changes the land use designation from Combined Industrial/Commercial to Office and GP05-03-01d changes the land use designation from Combined Industrial/Commercial to Light Industrial with Mixed Industrial Overlay described as Incremental Infill Development in the map above.

The combination of the change to Office and Light Industrial with Mixed Industrial Overlay reflects the Diridon Plan's determination that future land uses should reflect existing conditions but be conducive to the creation of a pedestrian-friendly environment that emphasizes the retention and creation of artisan uses and other compatible uses including retail, arts, entertainment, restaurant, office, general commercial, public/quasi-public, park, and light industrial. Shown in the map above, the Diridon Plan designates this area and uses as Incremental Infill Development. As stated earlier, the General Plan land use designations changes described by GP05-03-01b and GP05-03-01e bring the General Plan Land Use/Transportation Diagram into conformance with existing uses, specifically the HP Pavilion/San Jose Arena and Guadalupe River Park, respectively.

ENVIRONMENTAL REVIEW

The environmental impacts of this project, which includes the full build-out allowed under the proposed *Strategy 2000*, were addressed by an Environmental Impact Report (EIR) entitled “San Jose Downtown Strategy 2000” to be heard by the City of San José Planning Commission on June 6, 2005. The EIR analyzed potential impacts resulting from the project upon land use compatibility, transportation, air quality, noise, biological resources, cultural resources, geology and soils, hydrology and water quality, hazardous materials, utility and service systems and energy use and identifies mitigation measures and project alternatives that avoids or reduce impacts.

The EIR identifies that implementation of the project results in significant unavoidable impacts upon traffic levels within San José, and regional air quality. The project EIR also identifies a cumulative significant unavoidable impact associated with the project for traffic, air quality, and cultural resources. The EIR discusses project alternatives: No Development, Increased Housing/Reduced Office, Mitigated Alternative, and No Project.

The EIR was circulated for public comment from March 25 through May 9, and comments were received from 20 commenters. The comments, City’s responses to comments, and resulting revisions to the text of the Draft EIR can be found in the First Amendment to the EIR.

As a general rule, EIRs are circulated once for public review and comment. If “significant new information” is added to the EIR after the close of the public review period on the Draft EIR but before certification of the Final EIR, the Lead Agency must provide a second public review period and recirculate the Draft EIR for comments. Recirculation of a Draft EIR is not required where the new information merely clarifies, amplifies, or makes minor modification to an adequate Draft EIR. Staff believes that none of the recirculation criteria have been met for the Final EIR. All new information that has been added to the Final EIR merely clarifies, amplifies, or makes minor modifications to the discussion and analysis in the Draft EIR.

The Downtown Strategy 2000 Final EIR meets the requirements of CEQA by disclosing the significant environmental effects of the project, identifying feasible ways to mitigate the significant effects, and describing reasonable alternatives to the project. The Final EIR complies with the substantive and procedural requirements of the CEQA guidelines for projects of regional significance. The Final EIR has been completed in compliance with the requirements of CEQA. It also represents the independent judgment and analysis of the City of San Jose.

Because full implementation of the Downtown Strategy 2000 will have significant unavoidable impacts, the City Council will be required to adopt a statement of overriding considerations as part of the Resolution of EIR findings explaining how the benefits of the project outweigh the impacts.

PUBLIC OUTREACH

The property owners and occupants within a 1,000-foot radius of the GP05-03-01 amendment sites were sent a newsletter regarding the two community meetings that were held on April 25

and 26, 2005 at City Hall. They also received a notice of the public hearings to be held on the subject amendment before the Planning Commission on June 6, 2005 and City Council on June 21, 2005. The Department web site contains information regarding the General Plan process, amendments, staff reports, and hearing schedules. This site is available to any member of the public and contains the most current information regarding the status of the amendments

Attachments

General Plan Text Amendment